

Michigan Department of Civil Service

REGULATION

Appointing Authority Letter Reference: CS-6940	Effective Date: March 18, 2001	Index Reference: Selection, Position Vacancies Certified Applicant Pool	Regulation Number: 3.03
Issuing Bureau: Human Resource Services	Rule Reference: Rules 1-6 (Merit, Efficiency, and Fitness) 1-7 (Equal Employment Opportunity) 1-8 (Prohibited Discrimination) 3-1 (Examinations) 3-2 (Applicant Pools and Recall Lists) 3-3 (Appointments and Job Changes)		Replaces: Reg. 3.02 (CS-6913, March 17, 2000) Reg. 3.04 (CS-6913, March 17, 2000) Reg. 3.06 (CS-6877, May 18, 1998)
Subject: SELECTION OF EMPLOYEES FOR POSITION VACANCIES WHEN USING A CERTIFIED APPLICANT POOL MAINTAINED BY CIVIL SERVICE			

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1. **PURPOSE**

This regulation establishes standards and practices to be used when considering and selecting candidates for vacant positions in situations when the agency will use applicant pools maintained by Civil Service, usually from the results of a written or electronic appraisal method. This regulation provides a foundation for establishing sound personnel practices that result in a meritorious, job-related selection process.

2. **CIVIL SERVICE RULE REFERENCE**

Rule 1-6 Merit, Efficiency, and Fitness

All appointments and promotions to positions in the classified service, all measures for the control and regulation of employment in classified positions, and all separations from classified positions shall be based on merit, efficiency, and fitness, as provided in the civil service rules and regulations.

Rule 1-7 Equal Employment Opportunity

The department of civil service and each appointing authority shall provide equal employment opportunity in the state classified service for all persons in accordance with the civil service rules and regulations.

Rule 1-8 Prohibited Discrimination

1-8.1 Prohibited Discrimination. *The department of civil service or an appointing authority shall not do any of the following:*

- (a) Fail or refuse to hire, recruit, or promote; demote; discharge; or otherwise discriminate against a person with respect to employment, compensation, or a term, condition, or privilege of employment, because of religion, race, color, national origin, age, sex, height, weight, marital status, partisan considerations, or a disability or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position.*
- (b) Limit, segregate, or classify an employee or applicant for employment in a way that deprives or tends to deprive the employee or applicant of an employment opportunity or otherwise adversely affects the status of an employee or applicant because of religion, race, color, national origin, age,*

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sex, height, weight, marital status, partisan considerations, or a disability or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position.

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Rule 3-1 Examinations

3-1.1 Authority. *The department of civil service shall prepare or approve examinations for all classified positions. Examinations are referred to as appraisal methods in these rules.*

3-1.2 Content and Method. *Appraisal methods must assess relevant, job-related knowledge, skills, abilities, and other qualifications necessary for successful job performance. The department of civil service may use another organization's appraisal results.*

3-1.3 Application. *The department of civil service shall establish procedures for persons seeking positions in the classified service.*

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Rule 3-2 Applicant Pools and Recall Lists

3-2.1 Applicant Pool. *The department of civil service may establish and maintain applicant pools. The department of civil service may divide applicant pools by geographic area, organizational unit, occupational specialty, type of appointment, or other criteria. The state personnel director shall issue regulations for the duration and use of applicant pools. A person's eligibility to remain in an applicant pool or to be referred for a position is determined under the civil service rules and regulations in effect at the time the department of civil service refers names of qualified applicants to an appointing authority.*

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3-2.3 Recall Lists. *An employee is eligible to be placed on a recall list only if the employee (1) gained status from an indefinite appointment and (2) is laid off, demoted, or otherwise displaced for reasons of administrative efficiency. Recall lists are not created or maintained for classifications that are protected from the*

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application of employment preference in rule 2-5 or applicable regulations.

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Rule 3-3 Appointments and Job Changes

3-3.1 Process. *All appointments, promotions, and job changes in the classified service must be made in accordance with the civil service rules and regulations. Any person appointed or promoted must be certified as qualified in accordance with and subject to the civil service rules and regulations. The state personnel director shall administer the certification of all appointments and promotions.*

* * *

3. DEFINITIONS FROM CIVIL SERVICE RULES

1. ***Applicant*** means a person who requests to participate in an appraisal process.
2. ***Applicant pool*** means a group of applicants whom the department of civil service has determined to be qualified.
3. ***Candidate*** means a qualified person who requested to be considered for appointment to a specific position in the classified service and who was considered by the appointing authority.
4. ***Candidate pool*** means qualified persons considered for a position.

4. STANDARDS

A. Recall Names

1. The appointing authority must obtain a recall list report (ZP106) from the Human Resources Management Network (HRMN).
2. All recall names must be cleared in accordance with regulation 3.07, Appointments and Job Changes.

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B. Availability of Applicant Pools

The Department of Civil Service shall establish and maintain applicant pools from the results of appraisal and recruitment methods for pre-identified classifications. Applicant pools are available in the HRMN for creating candidate pools.

C. Use of Applicant Pools

1. Appointing authorities shall ensure equal employment opportunity consistent with civil service rules and regulations.
2. The HRMN certified applicant pool is the primary source of applicants for identified classifications. The agency must complete a Certified Applicant Pool Report (ZP107) in the HRMN to obtain a list of applicants. If the pool is not sufficient, alternative methods are also available for recruitment purposes.
3. Candidates must be given consistent job-related information regarding the vacant position and asked about their interest in the specific vacancy. Information may include, for example, the following:
 - a. Proper civil service position title, classification level, and working title, if different.
 - b. A brief description of the job duties and working conditions.
 - c. Qualifications or special requirements needed for the position.
 - d. Salary.
 - e. Employee status code.
 - f. Job location.
4. A minimum of 7 calendar days from the date of contact is recommended for applicants to respond.

D. Applicant Screening

1. An agency may conduct a preliminary screening of applicants to reduce the

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size of the applicant pool to an acceptable number of candidates.

2. The screening criteria must be job-related and ensure equal employment opportunity.

E. Evaluation of Candidates

1. An appointing authority may evaluate and verify the qualifications of candidates using any appropriate methods, as permitted by law. Examples of appropriate methods include, but are not limited to, the following:
 - a. Job/person fit measures.
 - b. Background investigations.
 - c. Assessment of applicants' education, training, and experience.
 - d. Formal job performance evaluations from current and previous jobs.
 - e. Structured interviews.
 - f. Job simulations.
 - g. Performance tests.
 - h. Physical agility tests.
 - i. Reference checks.
 - j. Supplemental written or electronic tests.
2. Evaluation methods and criteria must be job-related. To the extent practical, an agency must use the same, or substantially similar, evaluation methods and criteria, and elicit the same, or substantially similar, pertinent, job-related information for all candidates. The Department of Civil Service shall provide assistance in the development or use of any evaluation methods, if requested.
3. All non-selected candidates who are contacted for any evaluation by an appointing authority must be notified at the conclusion of the evaluation process that they are not selected, or that a particular vacancy will not be filled.

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F. Selection of Noncareer Employees

The selection of noncareer employees does not require a full evaluation process. Documentation for the selection of noncareer employees should include a current, approved position description, documentation that recall records were checked, and the evaluation of the selected candidate compared to the rating criteria used.

G. Certification of Appointment

1. A requisition using PA42.1 in the HRMN must be created.
2. The appointment of the selected candidate is certified by completing the Requisition Applicant Form (XP43.1) in the HRMN. The "Date" field on this form will be used to enter the date of the appointment. The "Applied" field on this form will be used to enter the date of the Certified Applicant Pool Report (ZP107), Recall Report (ZP106), or UAW Transfer Report (ZH101). The "Source" field on this form should reflect 'CSAPPLPOOL,' unless the appointment condition is "RECALL" or "UAW TXFR."

H. Documentation

1. An appointing authority shall maintain documentation for all steps of the selection process for at least 3 years from the completion of the selection. Documentation to be retained must include:
 - a. A current, approved position description, including any approved special requirements (e.g., current selective position requirements).
 - b. Methods used to notify applicants of a vacancy, a selection, or a decision not to fill a vacancy.
 - c. Verification that recall obligations have been met.
 - d. Applications for the position that is the subject of the selection process.
 - e. Interview questions, final completed rating forms, or other selection documentation.
 - f. Results of other selection methods used (e.g., performance tests, reference checks, job simulations).

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- g. Evaluation of the selected candidate compared to the selection criteria used.
- h. Certified applicant pool used to certify appointment or other documentation of approved appointment.
- i. Documentation verifying that the candidate selected for the position meets the educational and experience qualifications and any special requirements for the job. Such verification must be made before the appointment. Appointing authorities shall notify the Department of Civil Service if it appears that applicants may have misrepresented their credentials.
- j. Documentation verifying that all non-selected candidates who were contacted were notified that they were not selected or that the vacancy was not filled.

I. Compliance

- 1. The 3-year documentation retention period begins once all candidates who were contacted for an interview or other assessment are notified of the outcome of the selection process.
- 2. The selection process is subject to audit.
- 3. Appointing authorities shall cooperate in the investigation and participate in the defense of their selection methods.

5. PROCEDURE

<u>Responsibility</u>	<u>Action</u>
Department of Civil Service	1. On an ongoing basis, determines applicants' qualifications, administers written or electronic appraisals, and stores the names of qualified applicants to be used for filling position vacancies.

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2. Determines if there are any recall, posting, or transfer obligations required by collective bargaining agreements.
3. Requests recall list.

<u>Responsibility</u> (cont.)	<u>Action</u> (cont.)
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Appointing Authority

4. Determines if there are any EEO considerations or requirements to be met. Conducts additional recruitment, as necessary.
5. Accesses the civil service applicant pool in the HRMN.
6. Contacts applicants in accordance with standard C.
7. Screens applicants in accordance with standards C and D.
8. Schedules and conducts any additional job-related assessments of the candidates in accordance with standard E.
9. Makes selection in accordance with agency procedures.
10. Contacts selected candidate and makes contingency offer of employment, pending acceptance of offer and passing of drug test, if one is required.
11. Certifies the appointment of the selected candidate in the HRMN.
12. Appoints the selected candidate in accordance with regulation 3.07, Appointments and Job Changes.
13. Notifies the non-selected candidates. (See standard E.3.)
14. Retains documentation in accordance with standard H.

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15. May conduct an audit of selection activities for compliance with civil service rules and regulations.

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CONTACT

Questions regarding this regulation should be directed to the Department of Civil Service, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909, (517) 373-3048 or 1-800-788-1766, or MDCS-BHRS@state.mi.us.

NOTE: Regulations are issued by the State Personnel Director under authority granted in the State of Michigan *Constitution* and the *Michigan Civil Service Commission Rules*. Regulations that implement Commission Rules are subordinate to those Rules.